

# Notice of Allowability

Application No.

09/508,758

Examiner

Thai D Hoang

Applicant(s)

MYLES ET AL.

Art Unit

2667

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 08/30/2004.
2. ☒ The allowed claim(s) is/are 1-14, 16, 19-31, 33, 36-50, 107, 58-63, 65-70, 64, 71-72, 108, 81-86, 88-95, 87, 109, and 103-106, have been renumbered as 1-81 respectively.
3. ☒ The drawings filed on 15 March 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 07/14/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### ***Allowable Subject Matter***

Claims 1-14, 16, 19-31, 33, 36-50, 107, 58-63, 65-70, 64, 71-72, 108, 81-86, 88-95, 87, 109, and 103-106, have been renumbered as 1-81 respectively.

Claims 1-81 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Mayrand et al, US patent No. 5,504,939, discloses a method of communication channel selection in cellular radio communication systems. Mayrand does not teach or fairly suggest the following features, which are recited in each independent claim of the present application:

(1) A method for controlling communications access between a hub and a plurality of distributed stations over a medium, the method comprising the steps of:

the hub allocating a plurality of channels for data communications between the stations and the hub, the number of channels being at least equal to the number of stations, and each station owning at least one channel, and wherein each channel is varyingly in a distinct one of an empty-, a reserved-, or an owner-state,

and wherein:

(i) the empty-state provides a channel to which any station can have access;

(ii) the reserved-state provides a channel having an owner and to which a station having made a reservation with the hub, but not owning the channel, can have access if

not being used by the owner, and further to which the owner can resume access on demand;

(iii) the owner-state provides a channel to which only the owning station has access as recited in claims 1, 46, 62, 79, and 81-82.

(2) A method for controlling communications access between a hub and a plurality of mobile stations via a plurality of channels providing data access therebetween, there being at least as many channels as mobile stations, and the channels is varyingly in a distinct one of an empty-, a reserved-, or an owner-state, and wherein:

(i) the empty-state provides a channel having an owner and to which any station can have access if not being used by the owner. and further to which the owner can resume access on demand;

(ii) the reserved-state provides a channel to which a station having made a reservation with the hub, but not owning the channel, can have access; and

(iii) the owner-state provides a channel to which only the owning station has access as recited in claims 16 and 30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-18:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 4/15/07